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REMARKS

At the time of the office action, Claims 1, 3, 5, 7 to 10, 13, and 15 to 24 were pending in the application. Claims 1, 3, 5, 7 to 10, 13, and 15 to 24 were rejected as obvious.

Claims 1, 3, 5, 8 to 10, 13, 15, 16, 18 to 21, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over by U.S. Patent No. 6,012,098, hereinafter referred to as Bayeh, in view of "Servlet Essentials," hereinafter referred to as Zeiger.

Applicants respectfully continue to traverse the obviousness rejection of Claim 1. The rejection continues to dissect Applicants' claim language and thereby fails to consider the claim as a whole; extracts pieces of the prior art and ignores parts that contradict the interpretation used in the rejection; and makes inferences with respect to the prior art that are not supported by that art. As previously noted to make a prima facie obviousness rejection, the MPEP directs:

> **BASIC CONSIDERATIONS WHICH APPLY TO OBVIOUSNESS REJECTIONS**
> When applying 35 U.S.C. 103, the following tenets of patent law must be adhered to:
> (A) The claimed invention must be considered as a whole;
> (B) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;
> (C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention; and
> (D) Reasonable expectation of success is the standard with which obviousness is determined.

MPEP § 2141, 8th Ed., Rev. 2, p. 2100-120 (May 2004). It is noted that this directive stated "the following tenets . . . **must be adhered to**." Accordingly, the failure of the Examiner to adhere to any one of these tenets means that a prima facie obviousness rejection has not been made.

First, Applicants' Claim 1 recites in part:

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

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> receiving a request for data having a target data format;
> . . . said source data has a source data format

The Claim 1 expressly defines the source data format and the target data format. Claim 1 also recites:

> each partial filter adapter includes a generic source and target data formats independent interface and said generic source and target data formats independent interface is for receiving input data by each partial filter adapter independent of an underlying data format of said input data

Thus, Claim 1 includes a generic source and target data formats independent interface. Since Claim 1 defines what is meant by the target data format and source data format, the plain meaning of "generic source and target data formats independent interface" is the interface is not dependent upon either the target data format or the source data format and further that the interface is generic.

However, Claim 1 goes further and defines that the interface is "for receiving input data independent of an underlying data format of said input data." Therefore, to consider the claim as a whole, the combination of the cited references must teach or suggest such an interface, and not just some interface in general.

First, the rejection reduced the claim language to a gist, "a Java construct called an interface," i.e., just some interface in general. Specifically, the rejection stated:

> Zeiger discloses that a preferred way for servlets to communicate with other is to use a Java construct called an interface, which is used to ensure that different servlet types can communicate with each other (p. 30, para 3).

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

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The rationale for continuing this improper form of rejection stated:

> Applicant alleges that the interfaces of Ziegler are not generic source and target data format independent interface. Applicant shows examples of interfaces (for example, Table 8 on page 29), but provides no clear definition of how "generic source and target data format independent" modifies the term "interface." Therefore, the term is treated as broadly as the plain meaning requires. As the interface is for servlets, which do not care about the underlying data format, merely that there is a text stream, the interface of Zeigler is not seen to be any different then the interface of the Applicant, Therefore it is a generic source and target data format independent interface, in accordance with the terms use in the specification.

This is clear evidence that just some "interface" was rejected and that express claim limitations as recited in Claim 1 were not properly considered. Thus, the rejection failed to consider the claim as a whole and so has failed to comply with first requirement quoted above.

Further, with respect to considering the claimed invention as a whole, the MPEP requires:

> V. DISCLOSED INHERENT PROPERTIES ARE PART OF "AS A WHOLE" INQUIRY
>
> "In determining whether the invention as a whole would have been obvious under 35 U.S.C. 103, we must first delineate the invention as a whole. **In delineating the invention as a whole, we look not only to the subject matter which is literally recited in the claim in question... but also to those properties of the subject matter which are inherent in the subject matter and are disclosed in the specification.** . (Emphasis Added.)

MPEP § 2142.02, 8th Ed. Rev. 5, p. 2100-121 (August 2006)

The reduction of the recited specific interface in Claim 1 to just a Java construct called an "interface" demonstrates that these requirements of the MPEP were also ignored. The

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

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inherent characteristics of one embodiment of a generic source and target data formats independent interface are taught, for example, by interface *XDocumentHandler*, which is shown as being generic to each partial filter adapter in Figs. 7A to 7C and independent of the target and source data formats starting for example at page 38 of the description. This expressly demonstrates that the interface is independent of the source and target data formats and demonstrates that these properties of the subject matter are not only inherent and disclosed in the description, but also these properties were expressly recited in Claim 1. The above comments with respect to continuing the rejection demonstrate that the disclosed inherent properties were not considered as required by the MPEP.

Thus, Applicants have demonstrated that express claim limitations were not considered and that inherent disclosed properties were not considered. Either of these alone is sufficient to overcome the obviousness rejection.

The above quoted statements from the rejection also demonstrate that the Ziegler has not been considered as a whole as required by the above quote from the MPEP. The rejection relies on page 30, paragraphs 1 and 3 of Zeigler. However, these paragraphs are part of a sub-section entitled "3.1 Inter-Servlet Communication" that extends from page 29 to page 31 that in turn is part of a Section of Ziegler entitled "The Servlet Environment."

As previously pointed out, the cited section of Zeigler explains how a method "bar" in one servlet can be called by another servlet via an interface. No details are provided concerning the method "bar" because the section of Zeigler is directed at method calls between servlets and not transfer of data between servlets. In particular, Ziegler taught:

> 3.1 Inter-Servlet Communication
> *This section shows how to*

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

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call a method of another Servlet

As quoted above, the rejection makes multiple inferences about how the interface in this section of Zeigler transfers data when all Zeigler teaches is how an interface allows one servlet to call a method in another servlet. The rejection ignores section 3.5 of Ziegler that taught how to share data between servlets, i.e.,

3.5 Sharing Data Between Servlets [API 2.1]

This section shows how to

- *share data between Servlets*

Version 2.1 of the Servlet API offers a new way of sharing named objects between all the Servlets in a Servlet context (and also other contexts, as you'll see below) by binding the objects to the `ServletContext` object which is shared by several Servlets.

The `ServletContext` class has several methods for accessing the shared objects:

- `public void setAttribute(String name, Object object)` adds a new object or replaces an old object by the specified name. The attribute name should follow the same naming convention as a package name (e.g. a Servlet `com.foo.fooservlet.FooServlet` could have an attribute `com.foo.fooservlet.bar`).

  Just like a custom `ServletRequest` attribute, an object which is stored as a `ServletContext` attribute should also be *serializable* to allow attributes to be shared by Servlets which are running in different JVMs on different machines in a load-balancing server environment.

- `public Object getAttribute(String name)` returns the named object or `null` if the attribute does not exist.

  In addition to the user-defined attributes there may also be predefined attributes which are specific to the Servlet engine and provide additional information about a Servlet(Context)'s environment.

- `public Enumeration getAttributeNames()` returns an `Enumeration` of the names of all available attributes.

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

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- `public void removeAttribute(String name)` removes the attribute with the specified name if it exists.

The separation of Servlets into Servlet contexts depends on the Servlet engine. The `ServletContext` object of a Servlet with a known local URI can be retrieved with the method `public ServletContext getContext(String uripath)` of the Servlet's own `ServletContext`. This method returns `null` if there is no Servlet for the specified path or if this Servlet is not allowed to get the `ServletContext` for the specified path due to security restrictions.

Thus, the reference teaches that methods in a servlet context class are required and the multiple methods must be defined with respect attributes of the data being transferred. The rejection ignored this section of Zeigler that directly contradicts the multiple inferences read into the teaching of the other section of Ziegler. This is direct evidence that the reference was not considered as a whole and instead, a portion was extracted and given an interpretation that was not supported by Ziegler. This also is sufficient to overcome the rejection.

Moreover, assuming the combination of references is correct, it means that any data transfer between servlets in the primary reference would require that the servlets includes the data specific methods described above by Ziegler. This combination fails to teach or suggest anything concerning the specific interface recited in Applicants' claim 1 for receiving data and is direct evidence that the references were not considered as a whole and that the Examiner argument is not well founded.

Claim 1 recites a plurality of partial filter adapters and that each filter in the plurality as the same a generic source and target data formats independent interface. There simply has been no showing or suggestion of such elements in the combination of references. The fact that data is transferred between servlets, even if an interface is used, fails to suggest that the same interface is used by each servlet as

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

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recited in Claim 1, or suggest that the same interface is not just some interface but rather a generic source and target data formats independent interface. Similarly, saying a servlet does not care about the underlying data format, as was done in the rejection, fails to teach or suggest anything with respect to the underlying data input format and underlying data output format associated with a particular servlet in Bayeh. The rejection has failed to even address this limitation. These are further reasons why the obviousness rejection is not well-founded.

Finally, the motivation for the combination, "enabled the servlets of Bayeh to be reloaded on the fly," has nothing to do with Bayeh. Bayeh taught that the comma separated list defined a set of servlets for a particular request and showed in Fig. 5 that a command was sent to chain that set. Accordingly, the rejection has failed to establish why Bayeh would need or want to reload on the fly. The process diagram in Fig. 5 demonstrates a sequential series of operations for a data stream and so the rationale for the motivation is unsupported by any demonstration that Bayeh requires such a feature and so the given motivation amounts to conjecture without any showing or explanation of how Bayeh would work for its intended purpose.

Applicants have demonstrated multiple reasons why the obviousness rejection is not well founded. Only one of the reasons is necessary to overcome the rejection. Applicants request reconsideration and withdrawal of the obviousness rejection of Claim 1.

Claims 8, 10, 13, 18 and 24 stand rejected as obvious for the same or equivalent reasons as Claim 1. Each of Claims 8, 10, 13, 18 and 24 includes limitations similar to that noted above with respect to Claim 1 and so the remarks concerning Claim 1 and the combination of references are directly applicable to the rejection of each of these claims and are

GUNNISON McKAY & HODGSON, L.L.P.
Garden West Office Park
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

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incorporated herein by reference. Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection of each of Claims 8, 10, 13, 18 and 24.

Claim 9 depends from Claim 8 and so distinguishes over combination of references for at least the same reasons as Claim 8. Applicants request reconsideration and withdrawal of the obviousness rejection of Claim 9.

Claims 15 and 16 depend from Claim 13 and so distinguish over the various combinations with Bayeh for at least the same reasons as Claim 13. Applicants request reconsideration and withdrawal of the obviousness rejection of each of Claims 15 to 16.

Claim 19 depends from Claim 18 and so distinguishes over combination of references for at least the same reasons as Claim 18. Applicants request reconsideration and withdrawal of the obviousness rejection of Claim 19.

With respect to Claims 3 and 21, the obviousness rejection relies upon the same information as discussed above with respect to Claim 1 and in addition the Quirksmode reference. Applicants respectfully traverse the obviousness rejection of Claim 3. Claims 3 and 21 includes limitations similar to that noted above with respect to Claim 1 and so the remarks concerning Claim 1 and the combination of references are directly applicable to the rejections of Claims 3 and 21 and are incorporated herein by reference. Applicants again note that Bayeh, as one skilled in the art stated:

> . . . Because browsers expect an incoming response to be formatted using HTML, servers generate their response in that format. (Emphasis Added.)

Bayeh, Col. 2, lines 52 to 54

and

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

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This is necessary because browsers, by convention, expect to receive data that has been formatted with HTML.

Bayeh, Col. 11, lines 37, 38.

The basis for continuing the rejection relied upon the description of Mosiac 1 and its predecessor and then substitutes Examiner argument for the explicit teaching of Bayeh. Applicant respectfully notes that the filing date of this application was January 12, 2001. Bayeh roughly three years prior to that time noted that the browsers in use required HTML and so directly contradicts the reliance on the Mosiac 1 browser. However, it is unnecessary to resolve this issue, because as noted with respect to Claim 1, a prima facie obviousness rejection has been made. Applicants request reconsideration and withdrawal of the obviousness rejection of each of Claims 3 and 21.

Claim 5 depends from Claim 3 and so distinguishes over Bayeh for at least the same reasons as Claim 3. Applicants request reconsideration and withdrawal of the obviousness rejection of Claim 5.

With respect to the obviousness rejection of Claim 20, only Bayeh was relied upon. The rejection relies upon a inherency argument that ignores the explicit teaching of Bayeh. Fig. 5 of Bayeh shows that a server routes the request with a chain command that selects a particular line in the comma separated list. In particular, Bayeh taught:

> At Step 230, the server which received the client's request routes it to the proper data servlet. If servlet chaining has been implemented using servlet aliasing, then the server determines which is the proper data servlet by checking the comma-separated list **which was previously defined for the URL to which the request was addressed**. If servlet chaining has been implemented using mime types, then **the request will have a mime type associated with it**, and the mimeservlet properties file will have an entry that was previously created to specify which data servlet

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

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is to be invoked for this particular mime type. (Emphasis Added.)

Bayeh, Col. 10, lines 30 to 40.

Thus, in both instances taught by Bayeh, the request includes information with respect to servlet chaining and it is this information that is used to select a chain. This teaches away from a conversion service and a protocol reader as recited in Claim 20, i.e.,

> a conversion service;
>
> a protocol reader coupled to said conversion service wherein said conversion service sets up said protocol reader to determine a source data format;
>
> a chain factory coupled to said conversion service, wherein said conversion service calls said chain factory with at least said source data format and a target data format;
>
> a service manager coupled to said chain factory and to said partial filter adapter library; and
>
> a filter registry service

Since Bayeh teaches that the information is predefined and determined by the request, it demonstrates that the inherency argument ignores the explicit teachings in Bayeh on how a chain is selected. Applicants respectfully request reconsideration and withdrawal of the obviousness rejection of Claim 20.

Claims 7, 17, 22 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of references in view of Garshol, "Free XML Software," (12/15/1999).

Assuming arguendo the combination of references is correct and the Examiner's interpretation of the secondary reference is correct, the additional information cited by the Examiner fails to overcome the basic deficiencies of Bayeh as noted above for the claims upon which each of Claims 7, 17, 22 and 23 depend.

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

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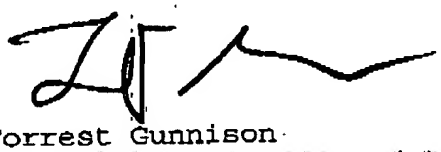
Therefore, Applicants request reconsideration and withdrawal of the obviousness rejection of each of Claims 7, 17, 22 and 23.

Claims 1, 3, 5, 7 to 10, 13, and 15 to 24 remain in the application. Claims 2, 4, 6, 11, 12, and 14 were canceled previously. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

Respectfully submitted,



Forrest Gunnison
Attorney for Applicant(s)
Reg. No. 32,899

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GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

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